

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TROY HAYLES,

No. C 09-00065 SBA (PR)

Plaintiff,

ORDER OF TRANSFER

v.

DR. ERICA WHEATHERFORD,

Defendant.

Plaintiff, a state prisoner, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has filed an in forma pauperis application.

The acts complained of occurred at Correctional Medical Facility-Vacaville, which is located in the Eastern District of California, and it appears that the Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. See 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California.. The Clerk of the Court shall transfer the case forthwith. All remaining motions are TERMINATED on this Court's docket as no longer pending in this district.

IT IS SO ORDERED.

DATED: 11/2/09


SAUNDRA BROWN ARMSTRONG
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

TROY HAYLES,

Plaintiff,

v.

ERIZA WHEATHERFORD et al,

Defendant.

Case Number: CV09-00065 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 2, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Troy Hayles E-16711
California Medical Facility
P.O. Box 2000
Vacaville, CA 95696

Dated: November 2, 2009

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk